

AB 761 (OROPEZA) AUTO REPAIR REPORT CARD PILOT PROGRAM FREQUENTLY ASKED QUESTIONS

Why is AB 761 necessary?

The Senate Oversight Committee ranks auto repair fraud as #6 in its Top 10 consumers' complaints (11/25/02). A recent survey suggests that 74% of consumers believed they were victimized by substandard auto repair work or by auto repair fraud (Collision Repair Industry INSIGHT, 8/14/02). Fraudulent auto repair annually costs consumers up to \$5 billion nationwide (State of California Department of Consumer Affairs News Release, 10/27/99).

How will AB 761 benefit the average consumer?

The typical person in need of automotive repair, as they are being towed to a shop, is completely unaware whether that repair facility has been disciplined by the Bureau or by the Courts. Like the popular restaurant report cards, AB 761 will provide consumers with visible and easily understandable information so the consumer can make an informed choice.

How does AB 761 affect legitimate auto repair facilities?

AB 761 will reward for shops that play fair. Currently, shops that scam customers are able to under-price legitimate shops. AB 761 will level the playing field by publicizing other factors that may accompany below-market prices.

How will AB 761 aid law enforcement's efforts against auto repair fraud?

First, the Red and Yellow report card represent a major deterrent to those shops considering violating the laws. Second, the ability to identify mechanics and the repairs they made will enable investigators to gather critical evidence for proving automotive repair fraud.

For purposes of issuing the green, yellow, or red report card, are all disciplinary violations treated the same?

No. Only violations which relate to automotive repair and involve serious offenses such as fraud and theft receive the “Red” report card. Less serious violations cause the issuance of the “Yellow Card”.

Will mere notices of violation count as discipline?

No. Only matters, which have been fully adjudicated, will result in discipline for purposes of the Report Card. Automotive Repair Dealers are accorded full due process.

Will AB 761 result in frivolous lawsuits against legitimate automotive repair dealers?

No. The information contained in the report card is already part of the public record. It is currently published on the Internet. AB 761 merely provides this information to the consumer when they most need it.

What happens if an employee or mechanic who has been disciplined leaves the shop?

The violation remains at the shop and follows the employee or mechanic to the new shop. Registered automotive repair dealers contemplating hiring such an employee or mechanic will be able to access the Bureau for the automotive repair related disciplinary history of that person.

Does AB 761 place the onus upon mechanics to comply with the Act?

No. The Report Card, invoice, and record-keeping requirements are the responsibility of the automotive repair dealer only.

Does AB 761 license or regulate mechanics?

No.

Are the identification records of the mechanic and other employees available to the consumer?

No. They are only available to the Bureau and law enforcement.

How does AB 761 affect the budget?

AB 761 is self-funding. The Bureau is authorized to assess an automotive repair facility \$50 every time it issues the report card.